

STATE OF WISCONSIN  
BEFORE THE EXAMINING BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

FILE COPY

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION
LA PORTE-MILLMAN AND	:	AND ORDER
ASSOCIATES, INC.,	:	
RESPONDENT.	:	

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The State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Hearing Examiner, makes the following:

ORDER


NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Hearing Examiner, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors. Let a copy of this order be served on the respondent by certified mail.

A party aggrieved by this decision may petition the board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The party to be named as respondent in the petition is LaPorte-Millman and Associates, Inc.

A party aggrieved by this decision who is a resident of this state may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

Dated this 23 day of March, 19 84.

pc017-552

  
Chairman, Engineers' Section  
Examining Board of Architects,  
Professional Engineers, Designers  
and Land Surveyors

STATE OF WISCONSIN  
BEFORE THE EXAMINING BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : PROPOSED DECISION  
LA PORTE-MILLMAN AND :  
ASSOCIATES, INC., :  
RESPONDENT :  
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The parties to this proceeding for the purposes of Wis. Stats.  
sec. 227.16 are:

LaPorte-Millman and Associates, Inc.  
122 Eighth Street South  
Wisconsin Rapids, Wisconsin 54494

State of Wisconsin Examining Board of Architects,  
Professional Engineers, Designers and Land Surveyors  
1400 East Washington Avenue, Room 288  
P.O. Box 8936  
Madison, Wisconsin 53708

Department of Regulation and Licensing  
1400 East Washington Avenue, Room 183  
P.O. Box 8936  
Madison, Wisconsin 53708

The hearing examiner has received a Stipulation in the captioned matter executed by E. James LaPorte, Secretary for respondent corporation; by Byron C. Crowns, attorney for respondent corporation; and by Gilbert C. Lubcke, attorney for complainant. A copy of the Stipulation is attached hereto and made a part hereof.

Based upon the Stipulation and the pleadings on file herein, the hearing examiner recommends that the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors adopt as its Final Decision the following Findings of Fact, Conclusions of Law and Order, which are the terms agreed upon and stipulated to by the parties.

FINDING OF FACT

1. LaPorte-Millman and Associates, Inc., holds a certificate of authorization, #CE-00428, as a professional engineering corporation, said certificate of authorization having been issued by the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors on August 9, 1968.

2. Richard G. Millman, a registered professional engineer in the State of Wisconsin, registration #E-09711, was designated in the records and files of the Examining Board of Architects, Professional Engineers,

Designers and Land Surveyors as the professional engineer in responsible charge of professional engineering being practiced in Wisconsin by LaPorte-Millman and Associates, Inc.

3. A formal Complaint against LaPorte-Millman and Associates, Inc., dated May 4, 1983 is pending before the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

4. Richard G. Millman is not presently available to act as the professional engineer in responsible charge of professional engineering services rendered by LaPorte-Millman and Associates, Inc. and no other professional engineer is currently employed by or associated with said corporation who could serve as the professional engineer in responsible charge of professional engineering projects engaged in by the corporation.

5. Complainant has moved the hearing examiner and the board for an Order dismissing the Complaint filed herein based upon voluntary surrender of respondent's current Certificate of Authorization #CE-00428.

#### CONCLUSIONS OF LAW

1. The Examining Board of Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction in this matter pursuant to Wis. Stats. sec. 443.08.

2. Pursuant to Wis. Stats. sec. 443.08 the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors may accept the voluntary surrender of a Certificate of Authorization of a firm, partnership or corporation where no professional engineer is currently employed by or associated with said firm, partnership or corporation.

#### ORDER

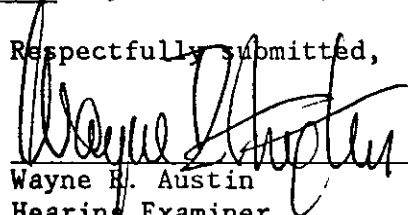
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender by LaPorte-Millman and Associates, Inc. of Certificate of Authority #CE-00428 be, and hereby is accepted.

IT IS FURTHER ORDERED that complainant's Motion for an Order Dismissing the Complaint against LaPorte-Millman and Associates, Inc., be and hereby is, granted; and that the Complaint herein therefore be, and hereby is, dismissed.

In the event the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors does not accept this Proposed Decision as the Final Decision in the matter, this case shall be returned to the hearing examiner for further proceedings with a statement from the board as to why the Proposed Decision was not accepted.

Dated at Madison, Wisconsin this 20th day of November, 1983.

Respectfully submitted,

  
Wayne H. Austin  
Hearing Examiner

WRA:kh  
5127

STATE OF WISCONSIN  
BEFORE THE PROFESSIONAL ENGINEERS SECTION  
EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,  
DESIGNERS AND LAND SURVEYORS

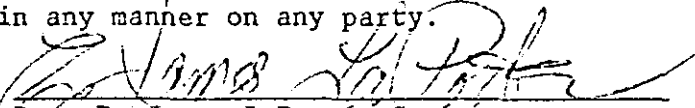
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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : STIPULATION  
LA PORTE-MILLMAN AND ASSOCIATES, INC., :  
RESPONDENT. :  
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It is hereby stipulated between LaPorte-Millman and Associates, Inc.,  
Byron C. Crowns, Attorney for LaPorte-Millman and Associates, Inc., and  
Gilbert C. Lubcke, Attorney for Complainant, as follows:

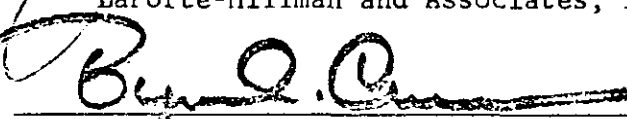
1. LaPorte-Millman and Associates, Inc., is a corporation organized and existing under the laws of the State of Wisconsin located at 122 Eighth Street South, Wisconsin Rapids, Wisconsin 54494.
2. LaPorte-Millman and Associates, Inc., holds a certificate of authorization, #CE-00428, as a professional engineering corporation, said certificate of authorization having been issued by the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors on August 9, 1968.
3. Richard G. Millman, a registered professional engineer in the State of Wisconsin, registration #E-09711, was designated in the records and files of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors as the professional engineer in responsible charge of professional engineering being practiced in Wisconsin by LaPorte-Millman and Associates, Inc.
4. A formal Complaint against LaPorte-Millman and Associates, Inc., dated May 4, 1983 is pending before the Professional Engineers Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.
5. Richard G. Millman is not presently available to act as the professional engineer in responsible charge of professional engineering services rendered by LaPorte-Millman and Associates, Inc. and no other professional engineer is currently employed by or associated with said corporation who could serve as the professional engineer in responsible charge of professional engineering projects engaged in by the corporation.
6. LaPorte-Millman and Associates, Inc., voluntarily surrenders its current certificate of authorization #CE-00428.
7. Complainant moves the Hearing Examiner and the Professional Engineers Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors for an Order dismissing the pending Complaint.

8. If any term or condition of this Stipulation is not accepted by both the Hearing Examiner and the Professional Engineers Section of the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, or the motion referred to in paragraph 7 is not granted by both, then no term of this Stipulation shall be binding in any manner on any party.

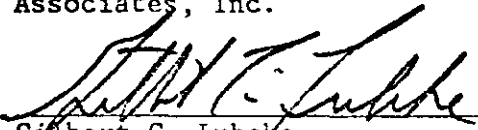
Dated: Oct. 21, 1983

  
By: E. James LaPorte, Secretary  
LaPorte-Millman and Associates, Inc.

Dated: Oct 21, 1983

  
Byron C. Crowns,  
Attorney for LaPorte-Millman and  
Associates, Inc.

Dated: 10/18/83

  
Gilbert C. Lubcke,  
Attorney for Complainant

GCL:dms  
374-355